

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Norfolk Division**

PEDRO GARCIA,

Plaintiff,

V.

M. JOHN BERRY,

Civil Action No. 2:09cv262

and

**UNITED STATES OFFICE OF
PERSONNEL MANAGEMENT**

Defendants.

**PLAINTIFF GARCIA’S MOTION FOR
PARTIAL SUMMARY JUDGMENT AS TO COUNT I**

Plaintiff Pedro Garcia hereby moves for partial summary judgment awarding him judgment under Count I of his Complaint pursuant to Fed. R. Civ. P. 56. Plaintiff Garcia hereby moves for all relief to which he is entitled, including: reinstatement to his position; back pay; compensation for loss of benefits; all attorneys fees and costs. The reasons offered in support of this motion are set forth in the accompanying memorandum of law.

Respectfully submitted,

PEDRO GARCIA

By: /s/
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CERTIFICATE OF SERVICE

I hereby certify that on the 26th day of October, 2009, I will electronically file the foregoing with the Clerk of Court using the CM/ECF system, which will then send a notification of such filing (NEF) to the following:

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